

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AARON GAMS,

Plaintiff,

- vs -

9:05-CV-0096

GLENN GOORD, Individually, and as
Commissioner of New York State Department
of Correctional Services; DOMINIC MARTINELLI,
Individually, and as Sex Offender Program
Counselor, Oneida Correctional Facility; SUSAN
CARTER, Individually, and as Senior Corrections
Counselor, Oneida Correctional Facility; SUSAN
CONNELL, Individually, and as Superintendent,
Oneida Correctional Facility,

Defendants.

U. S. DISTRICT COURT
N. D. OF N. Y.
FILED

APR 20 2005

AT _____ O'CLOCK _____ M
LAWRENCE K. BAERMAN, Clerk
UTICA

APPEARANCES:

OF COUNSEL:

JOHN R. LEWIS, ESQ.
Counsel for Plaintiff
36 Hemlock Drive
Sleepy Hollow, NY 10591

DAVID N. HURD
United States District Judge

DECISION and ORDER

Presently before this Court is a request to dismiss this action filed by plaintiff's counsel. In the motion counsel indicates that the relief sought in this action is now moot as plaintiff has been released. Further, counsel asserts that none of the defendants have been served with process in this action. Docket No. 5.

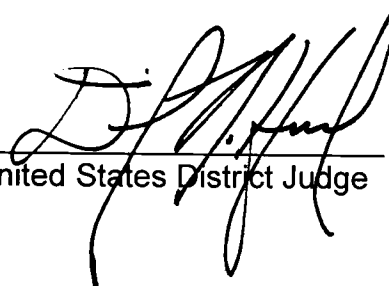
After a review of the entire file herein, and in light of the fact that none of the defendants have been served, the complaint is hereby dismissed.

WHEREFORE, based upon the above, it is hereby

ORDERED, that this action is dismissed pursuant to plaintiff's request filed April 13, 2005 (Docket No. 5), and it is further

ORDERED, that the Clerk serve a copy of this Order on plaintiff's counsel by regular mail.

IT IS SO ORDERED.


United States District Judge

Dated: April 20, 2005
Utica, New York.